



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

File the application of:

Inventor(s) : Hitoshi MATSUMOTO *et al.*  
Serial Number : 10/019,402  
Filed : December 28, 2001  
For : COMPOSITIONS FOR FOODS, PROCESS FOR  
PRODUCING THE SAME, AND FUNCTIONAL  
FOODS AND DRINKS CONTAINING THE SAME  
Examiner : D. A. Jagoe  
Group Art Unit : 1614

**NOTICE OF APPEAL**

The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 23, 2004

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the examiner's decision in the final Office action mailed November 25, 2003, finally rejecting claims 27 to 40. A Petition for a Two-Month Extension of Time and the Official fee therefor are being filed together herewith. The petition for extension of time extended the due date for response to April 24, 2004. Accordingly, this Notice of Appeal is timely filed.

A check in the amount of THREE HUNDRED THIRTY DOLLARS (\$330.00) for the notice of appeal fee is attached hereto.

In the event that this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our deposit account No. 22-0256.

04/26/2004 3DIRETAI 00000089 10019402

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330.00 OP

Respectfully submitted,  
VARNDELL & VARNDELL, PLLC  
(Formerly Varndell Legal Group)

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